

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GRADY SCOTT WESTON, Individually and  
On Behalf of All Others Similarly Situated,

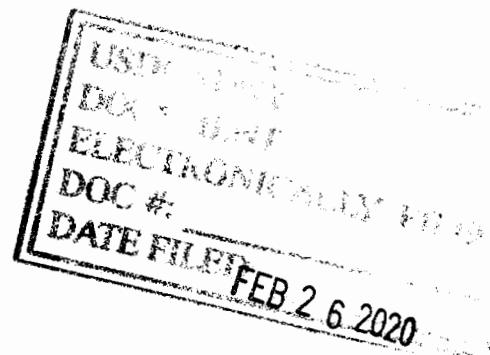
Plaintiffs,

v.

RCS CAPITAL CORPORATION, RCAP  
HOLDINGS, LLC, RCAP EQUITY, LLC,  
NICHOLAS S. SCHORSCH, BRIAN S.  
BLOCK, EDWARD MICHAEL WEIL,  
WILLIAM M. KAHANE, BRIAN D. JONES,  
PETER M. BUDKO, MARK AUERBACH,  
JEFFREY BROWN, C. THOMAS  
MCMILLEN, and HOWELL WOOD,

Defendants.

Civ. No. 1:14-CV-10136-GBD



**[PROPOSED] ORDER AUTHORIZING DISTRIBUTION OF NET SETTLEMENT FUND TO AUTHORIZED CLAIMANTS AND RELATED RELIEF**

**THIS MATTER** having come before the Court on the motion of Lead Plaintiffs Oklahoma Police Pension Fund and Retirement System and City of Providence, Rhode Island for authorization to distribute the Net Settlement Fund; the Settlement having reached its Effective Date; and the Court having considered all papers filed and proceedings had herein and otherwise being fully informed;

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:**

1. All of the capitalized terms used herein shall have the same meanings as set forth in the Stipulation and Agreement of Settlement, dated as of June 2, 2017 (ECF No. 134-1), or the Declaration of Adam D. Walter on Behalf of A.B. Data, Ltd. in Support of Lead Plaintiffs'

Motion for Authorization to Distribute Net Settlement Fund (the “A.B. Data Declaration” or “A.B. Data Decl.”), dated December 20, 2019.

2. The administrative recommendations of A.B. Data, Ltd. (“A.B. Data” or “Claims Administrator”), the Court-appointed Claims Administrator, to accept the Proof of Claim and Release forms (“Claim Forms”), including the late but otherwise eligible Claim Forms, listed in Exhibits E and F to the A.B. Data Declaration are hereby APPROVED.

3. As determined by the Claims Administrator, wholly rejected or otherwise ineligible Proofs of Claim are hereby REJECTED, including the two disputed claims.

4. The distribution of the Net Settlement Fund to Authorized Claimants is hereby AUTHORIZED and shall be conducted in accordance with the Stipulation, the Court-approved Plan of Allocation, and the distribution plan for payment of the Net Settlement Fund set forth in paragraph 40 of the A.B. Data Declaration, which is hereby APPROVED.

5. No Claim Forms received or adjusted after October 18, 2019 will be eligible for payment for any reason, subject only to the provision of paragraph 40(c) of the Distribution Plan.

6. A payment in the amount of \$23,194.58 from the Settlement Fund for A.B. Data’s estimate of its fees and expenses to be incurred in connection with the initial distribution of the Net Settlement Fund is hereby AUTHORIZED. If the incurred fees and expenses for the initial distribution are lower than the estimate, the Claims Administrator shall promptly reimburse the Net Settlement Fund.

7. The administration of the Settlement and the proposed distribution of the Net Settlement Fund comply with the terms of the Stipulation and the Plan of Allocation.

8. The Claims Administrator is authorized to destroy paper copies of the Proofs of Claim and all supporting documents one year after the initial distribution of the Net Settlement

Fund, and to destroy electronic copies of the same one year after all funds have been distributed.

9. The Court retains jurisdiction to consider any further applications concerning the administration of the Settlement, and such other and further relief as this Court deems appropriate.

DATED this 26 day of February, 2020

BY THE COURT:

George B. Daniels  
Honorable George B. Daniels  
UNITED STATES DISTRICT JUDGE